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Attorneys for WELLS FARGO BANK, N.A.  
(successor by merger to Defendant WACHOVIA  
BANK, N.A.) and Defendant METROPOLITAN  
WEST SECURITIES LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

STATE COMPENSATION INSURANCE  
FUND,

Plaintiff,

vs.

METROPOLITAN WEST SECURITIES  
LLC; WACHOVIA BANK, N.A.; DOES  
1 through 10, inclusive; and DOES 11  
through 20, inclusive,

Defendants.

CASE NO. CV 09-02959 JSW (EDL)

**STIPULATION AND ~~PROPOSED~~ ORDER  
MODIFYING BRIEFING SCHEDULE ON  
SUMMARY JUDGMENT MOTIONS  
AND CONTINUING HEARING ON  
MOTIONS**

1 WHEREAS the parties filed cross-motions for summary judgment on February 24, 2012,  
2 which are set for hearing on March 30, 2012;

3 WHEREAS the cross-motions raise numerous factual and legal issues, requiring the  
4 parties' respective opposition papers and reply papers to address those issues;

5 WHEREAS the parties' respective opposition papers currently are due on March 9, 2012,  
6 and their respective reply papers currently are due on March 16, 2012;

7 WHEREAS during the period in which the parties are required to prepare their opposition  
8 papers, they also have been required to (1) take/defend two expert witness depositions, in  
9 accordance with the expert discovery schedule previously approved by the Court pursuant to  
10 stipulation; and (2) spend significant time preparing for and attending a mediation scheduled for  
11 March 6, 2012 (including the preparation of mediation briefs) in accordance with the mediation  
12 cutoff previously set by the Court pursuant to stipulation;

13 WHEREAS the parties mutually desire a short amount of additional time in which to  
14 prepare their opposition and reply papers in light of the number of issues to be addressed and the  
15 time required to prepare for and participate in the depositions and the mediation;

16 WHEREAS the parties have not previously requested a modification of the summary  
17 judgment briefing schedule;

18 NOW THEREFORE, IT IS HEREBY STIPULATED BY AND AMONG THE PARTIES  
19 HERETO AND THEIR COUNSEL OF RECORD THAT (1) the parties' respective papers in  
20 opposition to the cross-motions for summary judgment shall be filed no later than March 12,  
21 2012; and (2) the parties' respective reply papers in support of the cross-motions for summary  
22 judgment shall be filed no later than March 21, 2012.

23 Date: March 5, 2012

MUNGER, TOLLES & OLSON LLP

25 By: /s/ James C. Rutten

James C. Rutten

26 Attorneys for Defendants WELLS FARGO  
27 BANK, N.A. (successor by merger to  
28 WACHOVIA BANK, N.A.) and  
METROPOLITAN WEST SECURITIES LLC

1 Date: March 5, 2012

BARGER & WOLEN LLP

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3 By: /s/ Travis R. Wall

Travis R. Wall

4 Attorneys for Plaintiff STATE  
5 COMPENSATION INSURANCE FUND

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7 \* \* \* \* \*

8 In addition, the hearing on the motions is CONTINUED to May 25, 2012 at 9:00 a.m.  
9 The pretrial and trial dates are VACATED and shall be reset by further order.  
10 PURSUANT TO STIPULATION, IT IS SO ORDERED:

11 DATED: March 6, 2012

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The Honorable Jeffrey S. White  
United States District Court Judge